

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Original) A pharmaceutical composition comprising a DG147 protein or/and a functional fragment thereof, a nucleic acid molecule encoding a DG147 protein or/and a functional fragment thereof or/and a modulator/effector of said nucleic acid molecule or/and said protein together with pharmaceutically acceptable carriers, diluents or/and additives.

2. (Original) The composition of claim 1, wherein the nucleic acid molecule is a vertebrate DG147 nucleic acid, particularly encoding a human DG147 protein as described in Example 2 or/and a nucleic molecule which is complementary thereto or a functional fragment thereof or a variant thereof.

3. (Currently Amended) The composition of claim 1 ~~or 2~~, wherein said DG147 nucleic acid molecule is selected from the group consisting of
 - (a) a nucleic acid molecule encoding a polypeptide, particularly as described in Example 2 or an isoform, fragment or variant of said polypeptide;
 - (b) a nucleic acid molecule which comprises or is the nucleic acid molecule as described in Example 2;

- (c) a nucleic acid molecule being degenerated as a result of the genetic code to the nucleic acid sequences as defined in (a) or (b);
- (d) a nucleic acid molecule that hybridizes at 50°C in a solution containing 1 x SSC and 0.1% SDS to a nucleic acid molecule as defined in claim 2 or as defined in (a) to (c) or/and a nucleic acid molecule which is complementary thereto;
- (e) a nucleic acid molecule that encodes a polypeptide which is at least 85%, preferably at least 90%, more preferably at least 95%, more preferably at least 98% and up to 99,6% identical to the human protein as described in Example 2 or as defined in claim 2 or to a polypeptide as defined in (a);
- (f) a nucleic acid molecule that differs from the nucleic acid molecule of (a) to (e) by mutation and wherein said mutation causes an alteration, deletion, duplication or premature stop in the encoded polypeptide.

4. (Currently Amended) The composition of ~~any one of claims 1-3~~ claim 1, wherein the nucleic acid molecule is a DNA molecule, particularly a cDNA or a genomic DNA.

5. (Currently Amended) The composition of ~~any one of claims 1-4~~ claim 1, wherein said nucleic acid encodes a polypeptide contributing to regulating the energy homeostasis.

6. (Currently Amended) The composition of ~~any one of claims 1-5~~ claim 1,
wherein said nucleic acid encodes a polypeptide contributing to the differentiation of
adipocytes.
7. (Currently Amended) The composition of ~~any one of claims 1-6~~ claim 1,
wherein said nucleic acid molecule is a recombinant nucleic acid molecule.
8. (Currently Amended) The composition of ~~any one of claims 1-7~~ claim 1,
wherein the nucleic acid molecule is a vector, particularly an expression vector.
9. (Currently Amended) The composition of ~~any one of claims 1-6~~ claim 1,
wherein the polypeptide is a recombinant polypeptide.
10. (Original) The composition of claim 9, wherein said recombinant
polypeptide is a fusion polypeptide.
11. (Currently Amended) The composition of ~~any one of claims 1-8~~ claim 1,
wherein said nucleic acid molecule is selected from hybridization probes, primers
and anti-sense oligonucleotides.
12. (Currently Amended) The composition of ~~any one of claims 1-11~~ claim 1
which is a diagnostic composition.

13. (Currently Amended) The composition of ~~any one of claims 1-12~~ claim 1 which is a therapeutic composition.

14. (Currently Amended) The composition of ~~any one of claims 1-13~~ claim 1 for the manufacture of an agent for detecting or/and verifying, for the treatment, alleviation or/and prevention of metabolic diseases or dysfunctions, including metabolic syndrome, obesity, or/and diabetes, as well as related disorders such as eating disorder, cachexia, hypertension, coronary heart disease, hypercholesterolemia, dyslipidemia, osteoarthritis, gallstones, or liver fibrosis, in cells, cell masses, organs or/and subjects.

15. (Currently Amended) The composition of ~~any one of claims 1-14~~ claim 1 for the manufacture of an agent for the regulation of adipogenesis, particularly for the regulation of adipocyte differentiation.

16. (Currently Amended) The composition of ~~any one of claims 1-15~~ claim 1 for application in vivo.

17. (Currently Amended) The composition of ~~any one of claims 1-15~~ claim 1 for application in vitro.

18. (Original) Use of a nucleic acid molecule encoding a DG147 protein or an isoform, a functional fragment or variant thereof, in particular a nucleic acid molecule

as described in Example 2, particularly of a nucleic acid molecule according to claim 3 (a), (b), or (c), or/and a polypeptide encoded thereby or/and a functional fragment or/and a variant of said nucleic acid molecule or said polypeptide or/and a modulator/effector of said nucleic acid molecule or polypeptide for the manufacture of a medicament for the treatment of obesity, diabetes, or/and metabolic syndrome for controlling the function of a gene or/and a gene product which is influenced or/and modified by a DG147 polypeptide, particularly by a polypeptide according to claim 3.

19. (Original) Use of a nucleic acid molecule encoding a DG147 protein or an isoform, a functional fragment or variant thereof, in particular a nucleic acid molecule as described in Example 2, particularly of a nucleic acid molecule according to claim 3 (a), (b), or (c), or/and a polypeptide encoded thereby or/and a functional fragment or/and a variant of said nucleic acid molecule or said polypeptide or/and a modulator/effector of said nucleic acid molecule or said polypeptide for identifying substances capable of interacting with a DG147 polypeptide, particularly with a polypeptide according to claim 3.

20. (Original) A non-human transgenic animal exhibiting a modified expression of a DG147 polypeptide, particularly of a polypeptide according to claim 3.

21. (Original) The animal of claim 20, wherein the expression of the DG147 polypeptide, particularly of a polypeptide according to claim 3, is increased or/and reduced.
22. (Original) A recombinant host cell exhibiting a modified expression of a DG147 polypeptide, particularly of a polypeptide according to claim 3.
23. (Original) The cell of claim 22 which is a human cell.
24. (Original) A method of identifying a (poly)peptide involved in the regulation of energy homeostasis or/and differentiation of adipocytes in a mammal comprising the steps of
- (a) contacting a collection of (poly)peptides with a DG147 polypeptide, particularly a polypeptide according to claim 3, or a functional fragment thereof under conditions that allow binding of said (poly)peptides;
 - (b) removing (poly)peptides which do not bind and
 - (c) identifying (poly)peptides that bind to said DG147 polypeptide.
25. (Original) A method of screening for an agent which modulates/effects the interaction of a DG147 polypeptide, particularly of a polypeptide according to claim 3, with a binding target, comprising the steps of
- (a) incubating a mixture comprising

- (aa) a DG147 polypeptide, particularly a polypeptide according 5 to claim 3, or a functional fragment thereof;
 - (ab) a binding target/agent of said polypeptide or functional fragment thereof; and
 - (ac) a candidate agent under conditions whereby said polypeptide or functional fragment thereof specifically binds to said binding target/agent at a reference affinity;
- (b) detecting the binding affinity of said polypeptide or functional fragment thereof to said binding target to determine an affinity for the agent; and
- (c) determining a difference between affinity for the agent and the reference affinity.

26. (Original) A method for screening for an agent, which modulates/effects the activity of a DG147 polypeptide, particularly of a polypeptide according to claim 3, comprising the steps of

- (a) incubating a mixture comprising
 - (aa) said polypeptide or a functional fragment thereof; (ab) a candidate agent under conditions whereby said polypeptide or functional fragment thereof has a reference activity;
- (b) detecting the activity of said polypeptide or functional fragment thereof to determine an activity in presence of the agent; and
- (c) determining a difference between the activity in the presence of the agent and the reference activity.

27. (Currently Amended) A method of producing a composition comprising the (poly)peptide identified by the method of claim 24 or ~~the agent identified by the method of claim 25 or 26~~ with a pharmaceutically acceptable carrier, diluent or/and additive.

28. (Original) The method of claim 27 wherein said composition is a pharmaceutical composition for preventing, alleviating or treating of metabolic diseases or dysfunctions, including obesity, diabetes, or/and metabolic syndrome, as well as related disorders such as eating disorder, cachexia, hypertension, coronary heart disease, hypercholesterolemia, dyslipidemia, osteoarthritis, gallstones, or liver fibrosis.

29. (Currently Amended) Use of a (poly)peptide as identified by the method of claim 24 or ~~of an agent as identified by the method of claim 25 or 26~~ for the preparation of a pharmaceutical composition for the treatment, alleviation or/and prevention of metabolic diseases or dysfunctions, including obesity, diabetes, or/and metabolic syndrome, as well as related disorders such as eating disorder, cachexia, hypertension, coronary heart disease, hypercholesterolemia, dyslipidemia, osteoarthritis, gallstones, or liver fibrosis.

30. (Currently Amended) Use of a nucleic acid molecule as defined in ~~any of claims 1-7 or 11~~ claim 1, for

the preparation of a medicament for the treatment, alleviation or/and prevention of metabolic diseases or dysfunctions, including obesity, diabetes, or/and metabolic syndrome, as well as related disorders such as eating disorder, cachexia, hypertension, coronary heart disease, hypercholesterolemia, dyslipidemia, osteoarthritis, gallstones, or liver fibrosis.

31. (Currently Amended) Use of a polypeptide as defined in ~~any one of claims 1 to 7, 9 or 10~~ claim 1 for the preparation of a medicament for the treatment, alleviation or/and prevention of metabolic diseases or dysfunctions, including obesity, diabetes, or/and metabolic syndrome, as well as related disorders such as eating disorder, cachexia, hypertension, coronary heart disease, hypercholesterolemia, dyslipidemia, osteoarthritis, gallstones, or liver fibrosis.

32. (Currently Amended) Use of a vector as defined in claim 8 for the preparation of a medicament for the treatment, alleviation or/and prevention of metabolic diseases or dysfunctions, including obesity, diabetes, or/and metabolic syndrome, as well as related disorders such as eating disorder, cachexia, hypertension, coronary heart disease, hypercholesterolemia, dyslipidemia, osteoarthritis, gallstones, or liver fibrosis.

33. (Currently Amended) Use of a host cell as defined in claim 22 ~~or 23~~ for the preparation of a medicament for the treatment, alleviation or/and prevention of metabolic diseases or dysfunctions, including obesity, diabetes, or/and metabolic

syndrome, as well as related disorders such as eating disorder, cachexia, hypertension, coronary heart disease, hypercholesterolemia, dyslipidemia, osteoarthritis, gallstones, or liver fibrosis.

34. (Original) Use of a DG147 nucleic acid molecule or of a functional fragment thereof for the production of a non-human transgenic animal which over- or under-expresses the DG147 gene product.

35. (Currently Amended) Kit comprising at least one of

- (a) a DG147 nucleic acid molecule or a functional fragment thereof;
- (b) a DG147 amino acid molecule or a functional fragment or an isoform thereof;
- (c) a vector comprising the nucleic acid of (a);
- (d) a host cell comprising the nucleic acid of (a) or the vector of (c);
- (e) a polypeptide encoded by the nucleic acid of (a);
- (f) a fusion polypeptide encoded by the nucleic acid of (a);
- (g) an antibody, an aptamer or/and another modulator/effector of the nucleic acid of (a) or/and the polypeptide of (b), (e), or/and (f) and
- {g} (h) an anti-sense oligonucleotide of the nucleic acid of (a).

36. (New) A method of producing a composition comprising the agent identified by the method of claim 25 with a pharmaceutically acceptable carrier, diluent or/and additive.

37. (New) A method of producing a composition comprising the agent identified by the method of claim 26 with a pharmaceutically acceptable carrier, diluent or/and additive.

38. (New) Use of an agent as identified by the method of claim 25 for the preparation of a pharmaceutical composition for the treatment, alleviation or/and prevention of metabolic diseases or dysfunctions, including obesity, diabetes, or/and metabolic syndrome, as well as related disorders such as eating disorder, cachexia, hypertension, coronary heart disease, hypercholesterolemia, dyslipidemia, osteoarthritis, gallstones, or liver fibrosis.

39. (New) Use of an agent as identified by the method of claim 26 for the preparation of a pharmaceutical composition for the treatment, alleviation or/and prevention of metabolic diseases or dysfunctions, including obesity, diabetes, or/and metabolic syndrome, as well as related disorders such as eating disorder, cachexia, hypertension, coronary heart disease, hypercholesterolemia, dyslipidemia, osteoarthritis, gallstones, or liver fibrosis.